

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

PLANNED PARENTHOOD OF  
GREATER OHIO, and  
PLANNED PARENTHOOD  
SOUTHWEST OHIO REGION,

Plaintiffs,

v.

RICHARD HODGES, in his official capacity  
as Director of the Ohio Department of Health,  
and TIMOTHY INGRAM, in his official  
capacity as Commissioner of Hamilton County  
Public Health,

Defendants.

Civil Action No. 1:16-cv-00539  
Judge Michael R. Barrett

**PLAINTIFFS' UNOPPOSED MOTION FOR EXTENSION OF TIME WITHIN WHICH  
TO FILE AN APPLICATION FOR COSTS AND ATTORNEY'S FEES**

Pursuant to Local Rule 7.2, Plaintiffs move for an extension of time within which to file their application for costs and attorney's fees under 42 U.S.C. § 1988. This Court entered judgment for Plaintiffs on August 12, 2016, and Defendant Hodges filed his notice of appeal on September 6, 2016. Under Local Rules 54.1 and 54.2, Plaintiffs' application for costs and fees would ordinarily be due 45 days after judgment, or by September 26, 2016. Plaintiffs' entitlement to costs and fees under 42 U.S.C. § 1988 as a "prevailing party" is likely to depend on the outcome of that appeal, however, as will the amount that Plaintiffs may recover. Judicial economy therefore favors postponing the deadline for filing a fee application until after appeals in this case are concluded.

Accordingly, Plaintiffs request that the deadline for applying for costs and attorney's fees in this case be extended until 45 days after the last judgment rendered by any court in this case

becomes final and not subject to further appeal, certiorari, or other judicial review. Counsel for Defendant Hodges has informed Plaintiffs that they consent to this extension of time.

Respectfully submitted,

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September 12, 2016

### **CERTIFICATE OF SERVICE**

I hereby certify that on September 12, 2016, I caused true and correct copies of the foregoing to be served via ECF on counsel for Defendant Richard Hodges.

/s/ Paul R.Q. Wolfson  
Paul R.Q. Wolfson

*Attorney for Plaintiffs Planned Parenthood  
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